

Remarks/Arguments

Claims 1-5 were pending prior to the current amendment.

Upon entry of the current amendment, claims 1-10 are pending.

Claims 1 and 5 have been amended.

New claims 6-10 have been added.

Entry of this amendment is respectfully requested, on the grounds that this amendment will place the present application in condition for allowance.

Claims 1-5 were finally rejected 35 U.S.C. 102(e) as being anticipated by US patent No. 6,177,931 ("Alexander"). In the present Office action, the Examiner admits to interpreting the electronic program guide (EPG) of Alexander as the computer application software program recited in present claim 1 (*see page 2, lines 14-20 of Office action dated 8/23/05*). Applicants respectfully disagree with the Examiner's interpretation of Alexander and application to the claimed invention; however, in order to advance prosecution and allowance of the present application, claim 1 has been amended to more clearly distinguish the claimed computer application software from an EPG. Disclosure support is found, for example, at page 4, lines 28-35, and page 6, lines 18-34.

Amended claim 1 recites

A method for operating a video processing apparatus, said video operating apparatus being capable of operating in a video-operating mode, and in at least one other mode, said video processing apparatus having an electronic program guide operable in said video operating mode, said method comprising the steps of:

operating said video processing apparatus in said at least one other mode, comprising operating a computer application software program on said video

processing apparatus, said computer application software program capable of receiving electronic messages;

receiving, while said computer application software program is running, an advertisement associated with a broadcast television program;

causing said advertisement to be displayed by said computer application software program;

receiving a signal selecting said advertisement;

and
operating said video processing apparatus in said video operating mode for obtaining the broadcast television program in response to selecting said advertisement. (emphasis added).

In contradistinction, Alexander fails to disclose or suggest each of the features and limitations recited in present claim 1. Claims 2-5 depend from claim 1, and are allowable at least by virtue of their dependency on an allowable independent claim.

New claim 6 is an independent claim similar to claim 1 prior to amendment, and includes the further limitation that "said computer application software program being one of an electronic mail message program, an instant messaging program, a web browser and a productivity application software program." Disclosure support is found, for example, at page 5, lines 24-34, and page 6, lines 38-39. The prior art of record does not teach or suggest this limitation.

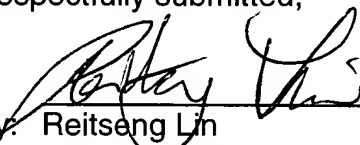
New claims 7-10 depend from independent claim 6. Disclosure support for claims 7 and 10 is found, for example, at page 5, lines 6-23; page 6, lines 8-25; and Figures 3 and 5. Disclosure support for claims 8 and 9 is found, for example at page 5, lines 24-34.

New claims 7-10 are allowable as they depend from allowable base claim 6. Moreover, the limitations of claims 7-10 are not taught or suggested in Alexander.

Having fully addressed the Examiner's objections and rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,



By: Reitseng Lin
Reg. No. 42,804
Phone (609) 734-6813

Patent Operations
Thomson Licensing Inc.
P.O. Box 5312
Princeton, New Jersey 08540
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CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to [Mail Stop Amendment], Commissioner for Patents, Alexandria, Virginia 22313-1450 on:

11/23/05
Date


Linda Tindall